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PRACTICE IN THE AREA OF EMPLOYMENT AND LABOR LAW

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VIA E-MAIL

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Office of the Attorney General
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July 18, 2008

Re: Castro, et al. V. Spice Place, et al.
Index 07-CV-4657

Dear Mr. Pepper:

Thank you for copying me on your July 17, 2008 letter. There is a motion pending in the above-referenced case before Judge Sweet regarding whether plaintiffs may take any discovery at this stage. The motion is returnable on July 23, 2008. Until that motion is decided, plaintiffs should not receive copies of any of defendants' documents. Further, plaintiffs will likely never be entitled to any documents - or portions of documents - that do not relate to them. Defendants are vigorously opposing plaintiffs' application for a collective and class action and expect that plaintiffs will not be entitled to any class-based discovery in this case.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,



Robert D. Lipman

cc: Richard E. Signorelli, Esq.
Juno Turner, Esq.
Michael Faillace, Esq.
Seth Kupferberg, Esq.
Peter G. Eikenberry, Esq.